

## Chapter 8.16

### LITTER AND JUNK

#### Sections:

- 8.16.010 Littering.
- 8.16.020 Storage of litter.
- 8.16.030 Keeping of junk.
- 8.16.040 Definitions.

#### 8.16.010 Littering.

A. It shall be unlawful for any person to deposit, throw, or leave any litter or junk on any public or private property or in any waters.

B. It shall be an affirmative defense that:

1. The litter or junk is placed in a receptacle or container installed on such property for such purpose which such person is authorized to use; or

2. Such person is the owner or tenant in lawful possession of such property, or he has first obtained written consent of the owner or tenant in lawful possession, or the act is done under the personal direction of said owner or tenant.

C. Whenever litter or junk is thrown, deposited, dropped or dumped from any motor vehicle in violation of this Section, the operator of said motor vehicle is presumed to have caused or permitted the litter or junk to be so thrown, deposited, dropped or dumped therefrom. (Ord. 4, §2(part), 1986)

#### 8.16.020 Storage of litter.

A. It shall be unlawful for any person to keep, store, or deposit or allow to be kept, stored or deposited any litter upon his own property or upon property of which he is a tenant in lawful possession, except within a trash can or container which has a tight-fitting lid, or a trash bag, or unless the litter is totally enclosed within a building.

B. The keeping, storage or deposit of litter in violation of this Section is hereby declared to be a nuisance and may be abated in accordance with law. (Ord. 4, §2(part), 1986)

#### 8.16.030 Keeping of junk.

A. It shall be unlawful for any person to keep, store, or deposit or allow to be kept, stored or deposited junk upon his own property or upon property of which he is a tenant in lawful possession, unless the junk is totally enclosed within a building or is screened by a fence or other enclosure from view

off such person's property or is kept within a receptacle for such purpose with a tight-fitting lid.

B. The keeping, storage or deposit of junk in violation of this Section is hereby declared to be a nuisance and may be abated in accordance with law.

C. It shall be an affirmative defense that the used building materials or firewood are stored or stacked in a reasonably neat and orderly manner. (Ord. 4, §2(part), 1986)

#### 8.16.040 Definitions.

A. For the purpose of this Chapter, "litter" shall mean all rubbish, waste material, refuse, garbage, trash, debris or other foreign substances, solid or liquid of every form, size, kind and description.

B. For the purpose of this Chapter, "junk" shall included by not be limited to discarded, unusable or broken machinery, appliances, furniture, furnishings, or sporting equipment; used building or construction materials; inoperable motor vehicles; vehicles without current license plates or State safety inspection stickers, if they are required by the State; or vehicles which do not comply with safety equipment requirements of State law; and all other items commonly known as junk.

C. An item may be both "junk" and "litter" as defined in this Chapter. (Ord. 4, §2(part), 1986)